

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 16-O- 75

AN ORDINANCE AMENDING SECTION 4  
OF THE LIBERTYVILLE ZONING CODE  
RELATING TO LOT COVERAGE

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Adopted by the  
President and Board of Trustees  
of  
the Village of Libertyville  
Lake County, Illinois  
this 9 day of August, 2016

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Published in pamphlet form by direction  
and authority of the Village of Libertyville  
Lake County, Illinois  
this 10 day of August, 2016

VILLAGE OF LIBERTYVILLE

ORDINANCE NO. 16-O- 75

AN ORDINANCE AMENDING SECTION 4  
OF THE LIBERTYVILLE ZONING CODE  
RELATING TO LOT COVERAGE

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered amending the Libertyville Zoning Code in order to further regulate lot coverage in residential zoning districts; and

WHEREAS, on April 18, 2016, the Development Review Committee reviewed and recommended approval of the requested zoning relief; and

WHEREAS, the Plan Commission of the Village of Libertyville, pursuant to notice duly published on November 28, 2015, in the *Daily Herald*, held a public hearing at 7:05 p.m., commencing on December 14, 2015, and concluding on May 23, 2016, at the Village Hall, 118 West Cook Avenue, Libertyville, Illinois for the purpose of hearing and considering testimony regarding the requested zoning relief; and

WHEREAS, on May 23, 2016, the Plan Commission, having fully heard and considered the testimony of all those present at the public hearing who wished to testify, made findings of fact as required by law and recommended to the President and Board of Trustees of the Village of Libertyville that the proposed text amendment be approved, all as is more specifically set forth in that certain Report of the Plan Commission on Case No. PC 15-27, dated as of June 8, 2016; and

WHEREAS, the President and Board of Trustees of the Village of Libertyville have considered the findings and recommendations of the Plan Commission and are fully advised in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF

TRUSTEES OF THE VILLAGE OF LIBERTYVILLE, COUNTY OF LAKE, STATE OF ILLINOIS, AS FOLLOWS:

SECTION ONE: Recitals. The foregoing recitals are hereby incorporated herein as if fully set forth.

SECTION TWO: Determination as to Findings. The Village Board finds the following:

- a. *The consistency of the proposed amendment with the purposes of this Code.* The proposed Zoning Code text amendments are consistent with the purposes of the Code.
- b. *The existing uses and zoning classifications of properties in the vicinity of the subject property.* The propose Zoning Code text amendments are appropriate for those existing zoning classifications currently in place.
- c. *The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present zoning classification.* The various trends in development throughout the Village shall be appropriately addressed by the proposed Zoning Code text amendments.
- d. *The extent to which the value of the subject property is diminished by its present zoning classification.* No such diminishment is expected from the proposed Zoning Code text amendments.
- e. *The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.* No such diminution is expected from the proposed Zoning Code text amendments.
- f. *The extent, if any, to which the use and enjoyment of adjacent properties would be adversely affected by the proposed amendment.* The use and enjoyment of properties within the Village shall not be adversely affected by the proposed Zoning Code text amendments.
- g. *The extent, if any, to which the value of adjacent properties would be adversely affected by the proposed amendment.* The value of properties within the Village shall not be adversely affected by the proposed Zoning Code text amendments.
- h. *The extent, if any, to which the future orderly development of adjacent properties would be adversely affected by the proposed amendment.* The future of orderly development of properties within the Village shall not be adversely affected by the proposed Zoning Code text amendments.
- i. *The suitability of the subject property for uses permitted or specially permitted under its zoning classification.* The suitability of properties for uses permitted or specially permitted

under their zoning classification shall not be adversely affected by the proposed Zoning Code text amendments.

- j. *The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.* The availability of adequate ingress to and egress from properties and the extent to which traffic conditions within the vicinity of properties within the Village shall not be adversely affected by the proposed Zoning Code text amendments.
- k. *The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or specially permitted under its present and proposed zoning classification.* The availability of adequate utilities and essential public services to properties within the Village shall not be adversely affected by the proposed Zoning Code text amendments.
- l. *The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.* The length of time, if any, that properties within the Village have been vacant, shall not be adversely affected by the proposed Zoning Code text amendments, in the context of the pace of future development of such properties.
- m. *The community need for the proposed amendment and for the uses and development it would allow.* The Village has identified a community need for the proposed Zoning Code text amendments.

SECTION THREE: Amendment of Article 4. Article 4-2.5.f, entitled “Maximum Lot Coverage” of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code by adding subsections (1) and (2), which shall hereinafter read as follows (amended sections are in bold):

4-2.5 Bulk, Space, and Yard Regulations.

- f. Maximum Lot Coverage. The maximum lot coverage for an interior lot in the R-1 Single Family Residential District is thirty percent (30%). The maximum lot coverage for a corner lot in the R-1 Single Family Residential District is twenty-five percent (25%).

- 1) **The maximum percentage of lot coverage allowed with respect to the area located between the front building line of a zoning lot and the front property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

- 2) **The maximum percentage of lot coverage allowed with respect to the area located between the corner building line of a zoning lot and the corner property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

SECTION FOUR: Amendment of Article 4. Article 4-3.5.f, entitled “Maximum Lot Coverage” of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code by adding subsections (1) and (2), which shall hereinafter read as follows (amended sections are in bold):

4-3.5 Bulk, Space, and Yard Regulations.

- f. Maximum Lot Coverage. The maximum lot coverage for an interior lot in the R-2 Single Family Residential District is thirty percent (30%). The maximum lot coverage for a corner lot in the R-2 Single Family Residential District is twenty-five percent (25%).

- 1) **The maximum percentage of lot coverage allowed with respect to the area located between the front building line of a zoning lot and the front property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**
- 2) **The maximum percentage of lot coverage allowed with respect to the area located between the corner building line of a zoning lot and the corner property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

SECTION FIVE: Amendment of Article 4. Article 4-4.5.f, entitled “Maximum Lot Coverage” of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code by adding subsections (1) and (2), which shall hereinafter read as follows (amended sections are in bold):

4-4.5 Bulk, Space, and Yard Regulations.

- f. Maximum Lot Coverage. The maximum lot coverage for an interior lot in the R-3 Single Family Residential District is thirty-five percent (35%). The

maximum lot coverage for a corner lot in the R-3 Single Family Residential District is thirty percent (30%).

- 1) **The maximum percentage of lot coverage allowed with respect to the area located between the front building line of a zoning lot and the front property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**
- 2) **The maximum percentage of lot coverage allowed with respect to the area located between the corner building line of a zoning lot and the corner property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

SECTION SIX: Amendment of Article 4. Article 4-5.5.f, entitled “Maximum Lot Coverage” of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code by adding subsections (1) and (2), which shall hereinafter read as follows (amended sections are in bold):

4-5.5 Bulk, Space, and Yard Regulations.

- f. Maximum Lot Coverage. The maximum lot coverage for an interior lot in the R-4 Single Family Residential District is forty percent (40%). The maximum lot coverage for a corner lot in the R-4 Single Family Residential District is thirty-five percent (35%).
  - 1) **The maximum percentage of lot coverage allowed with respect to the area located between the front building line of a zoning lot and the front property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**
  - 2) **The maximum percentage of lot coverage allowed with respect to the area located between the corner building line of a zoning lot and the corner property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

SECTION SEVEN: Amendment of Article 4. Article 4-6.5.f, entitled “Maximum Lot Coverage” of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section

16-14 of the Libertyville Zoning Code by adding subsections (1) and (2), which shall hereinafter read as follows (amended sections are in bold):

4-6.5 Bulk, Space, and Yard Regulations.

- f. Maximum Lot Coverage. The maximum lot coverage for an interior lot in the R-5 Single Family Residential District is forty-five percent (45%). The maximum lot coverage for a corner lot in the R-5 Single Family Residential District is forty percent (40%).
  - 1) **The maximum percentage of lot coverage allowed with respect to the area located between the front building line of a zoning lot and the front property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**
  - 2) **The maximum percentage of lot coverage allowed with respect to the area located between the corner building line of a zoning lot and the corner property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

SECTION EIGHT: Amendment of Article 4. Article 4-7.5.f, entitled “Maximum Lot Coverage” of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code by adding subsections (1) and (2), which shall hereinafter read as follows (amended sections are in bold):

4-7.5 Bulk, Space, and Yard Regulations.

- f. Maximum Lot Coverage. The maximum lot coverage for an interior lot in the R-6 Single Family Residential District is forty-five percent (45%). The maximum lot coverage for a corner lot in the R-6 Single Family Residential District is forty percent (40%).
  - 1) **The maximum percentage of lot coverage allowed with respect to the area located between the front building line of a zoning lot and the front property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**
  - 2) **The maximum percentage of lot coverage allowed with respect to the area located between the corner building line of a zoning lot**

**and the corner property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

SECTION NINE: Amendment of Article 4. Article 4-8.5.f, entitled “Maximum Lot Coverage” of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code by adding subsections (1) and (2), which shall hereinafter read as follows (amended sections are in bold):

4-8.5 Bulk, Space, and Yard Regulations.

f. Maximum Lot Coverage. The maximum lot coverage for a Single Family Detached Dwelling on an interior lot in the R-7 Single Family Attached Residential District is forty-five percent (45%). The maximum lot coverage for a Single Family Attached or Two Family Dwelling on an interior lot in the R-7 Single Family Attached Residential District fifty percent (50%). The maximum lot coverage for a Single Family Detached Dwelling on a corner lot in the R-7 Single Family Attached Residential District is forty percent (40%). The maximum lot coverage for a Single Family Attached or Two Family Dwelling on a corner lot in the R-7 Single Family Attached Residential District forty-five percent (45%).

- 1) **The maximum percentage of lot coverage allowed with respect to the area located between the front building line of a zoning lot and the front property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**
- 2) **The maximum percentage of lot coverage allowed with respect to the area located between the corner building line of a zoning lot and the corner property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

SECTION TEN: Amendment of Article 4. Article 4-9.5.f, entitled “Maximum Lot Coverage” of the Libertyville Zoning Code shall be, and it hereby is, amended pursuant to Section 16-14 of the Libertyville Zoning Code by adding subsections (1) and (2), which shall hereinafter read as follows (amended sections are in bold):

4-9.5 Bulk, Space, and Yard Regulations.

f. Maximum Lot Coverage. The maximum lot coverage for a Single Family Detached Dwelling on an interior lot in the R-8 Multiple Family Residential District is forty-five percent (45%). The maximum lot coverage for a Single Family Attached or Two Family Dwelling on an interior lot in the R-8 Multiple Family Residential District is fifty percent (50%). The maximum lot coverage for a Multiple Family Dwelling on an interior lot in the R-8 Multiple Family Residential District is sixty percent (60%). The maximum lot coverage for a Single Family Detached Dwelling on a corner lot in the R-8 Multiple Family Residential District is forty percent (40%). The maximum lot coverage for a Single Family Attached or Two Family Dwelling on a corner lot in the R-8 Multiple Family Residential District forty-five percent (45%). The maximum lot coverage for a Multiple Family Dwelling on a corner lot in the R-8 Multiple Family Residential District fifty-five percent (55%).

1) **The maximum percentage of lot coverage allowed with respect to the area located between the front building line of a zoning lot and the front property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

2) **The maximum percentage of lot coverage allowed with respect to the area located between the corner building line of a zoning lot and the corner property line of such zoning lot shall be the same percentage as the maximum percentage of lot coverage which is applicable to the overall zoning lot.**

SECTION ELEVEN: Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

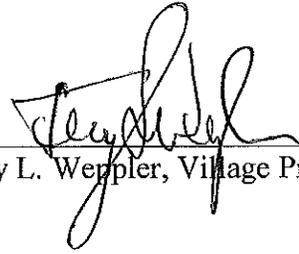
PASSED this 9 day of August, 2016.

AYES: Moras, Gaines, Justice, Adams, Garrity

NAYS: None

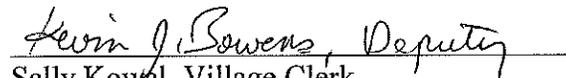
ABSENT: Johnson

APPROVED this 10 day of August, 2016.



Terry L. Wepler, Village President

ATTEST:

  
Sally Kowal, Village Clerk